

Patrick L. Shorty  
Red Rock Correctional Center  
1752 E Arica Road  
Elroy, Arizona 85231

RECEIVED

MAR 03 2008

CLERK, U.S. DISTRICT COURT  
ANCHORAGE, ALASKA

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

PATRICK L. SHORTY,

Plaintiff,

vs.

MUNICIPALITY OF ANCHORAGE, OFFICER  
ANDREW COTTLE, INDIVIDUALLY AND IN  
HIS CAPACITY AS AN ANCHORAGE POLICE  
OFFICER, OFFICER WITTE, INDIVIDUALLY  
AND IN HIS CAPACITY AS AN ANCHORAGE  
POLICE OFFICER, KENNETH D. MCCOY,  
INDIVIDUALLY AND IN HIS CAPACITY AS  
AN ANCHORAGE POLICE OFFICER

Defendants.

Case No. 3:05-cv-00237-TMB

AFFIDAVIT OF PATRICK L. SHORTY IN SUPPORT OF  
PLAINTIFF MOTION FOR CONTINUANCE TO RESPOND  
TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

Patrick L. Shorty being duly sworn upon oath deposes  
and states as follows:

1. I am currently acting Pro Se and to this day am still seeking to find a lawyer to represent me. I am a prisoner and was transferred from Alaska D.O.C. to Eloy, Arizona.

2. Access To The Courts, the First Amendment guarantees the right to "petition the government for a redress of grievances." U.S. CONST. amend. I. Prisoners have a specific constitutional right to file civil rights lawsuits. Lewis v. Casey, 518 U.S. 343, 355 (1996).

3. Eloy, Arizona Law Library does not meet the Alaska Statutory Law, AS 33.30.193 In following this statutory mandate, the Alaska Department of Corrections requires that each institution provide every prisoner with access to a law library, library assistance, and supplies for preparing legal pleadings.

4. Here in Eloy, Arizona, the law library do not have typing ribbons (02-23-2008) for the two typewriters, have only two working computers, no legal books to help file legal pleadings or correspondence.

5. This facility does not provide: Police Misconduct Handbook; Law and Litigation, Avery, Michael, 2d Ed., New York; Clark Boardman, 1980. Manual For Prison Law Libraries, Werner, D. James, Rothman. These are seriously important needs that are not placed in this small law library.

6. This facility allows only 5 prisoners to enter the law library and it is hard to get a computer time and the typewriters are also always being used, With over 350 inmates housed in Golf Unit.

7. This facility was on security lock down by:  
Warden Bruno Stole. See REQUEST FOR SERVICES

8. I am in need of a continuance and I have  
provided reasons to this court.

Futher affiant sayeth naught.

Dated this 23 day of February 2008

Patrick L. Shorty

Patrick L. Shorty

Notary Public In and For Arizona

My Commission Expires 3-14-2011



*JS*

Certificate of Service

The undersigned certifies that on 02/23/2008  
I mailed by U.S. Mail a true and  
correct copy of the foregoing to:

Elizabeth D. Friedman  
Municipal Attorney's Office  
P.O. Box 196650  
Anchorage, AK 99519-6650

**REQUEST FOR SERVICE****RECEIVED**  
FEB 19 2008Inmate Name PATRICK SHORTY Number 135738 Housing Location GA-63A  
To CCA/Red Rock Correctional Center Warden Date 02-17-2008

Subject (State briefly the problem on which you need assistance) I am sadly aggrieved with the operations and management that this private prison acted in a harsh treatment that violated the agreement with State of Alaska and also in direct violation against the Federal Constitutional Amendments. During this entire 1 week lock down, I was never given a regular 1 hour out of cell movement to contact my family and attorney by telephone. Also the food services was not properly served to me and I feel mistreated with this services, because I had to eat cold food services. And sack lunches that had stink meat in a baggie to eat, that was handed to me early in the morning during breakfast and no refrigeration to keep it placed for my food to remain fresh and not stink. I had done no wrong to receive this unconstitutional treatment and would like answers to why I was receiving this deprivations that should not be used and or practiced on me. Please tell me what wrong I have done that was in violation(s) of the State and Federal Laws.

Patrick Shorty #135738

Note: If necessary, you may be interviewed in order to handle your request. Your failure to specifically state your problem may result in no action being taken.

**DO NOT WRITE BELOW THIS LINE**

Referred To: \_\_\_\_\_ By: \_\_\_\_\_ Date: \_\_\_\_\_

Disposition / Response Safety and security are paramount. The search of this facility was conducted to ensure that dangerous contraband was not present.

Bruno Stoltz  
Staff Member

2-20-08  
Date

**Appointment to meet with staff**

Staff member name \_\_\_\_\_

Staff member signature \_\_\_\_\_

Location of meeting \_\_\_\_\_

Time \_\_\_\_\_ Date \_\_\_\_\_

If no appointment is required initial here \_\_\_\_\_

NOTE: If this area is filled out it will be your pass to meet with requesting staff member at the designated time.



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222 W. 7th Avenue, #4

Anchorage, Alaska 99513-7564